

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 09-</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>KEINO HERRING</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>18 U.S.C. § 1951(a) (conspiracy to</b>
	<b>:</b>	<b>interfere with interstate commerce</b>
	<b>:</b>	<b>by robbery - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 1951(a) (interference with</b>
	<b>:</b>	<b>interstate commerce by robbery - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times relevant to this information:

1. H.J., a person known to the United States Attorney, was engaged in the sale, distribution, and trafficking of illegal controlled substances, that is, cocaine, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, and elsewhere, activities which affected interstate commerce.

2. In or about May 2004, in the Eastern District of Pennsylvania, and elsewhere, defendant

**KEINO HERRING**

conspired and agreed, together with his co-conspirator, Malik Snell, and with others known and unknown to the United States Attorney, to commit robbery, which robbery would unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, in that defendant HERRING, and his co-conspirator Snell, conspired to unlawfully

take and obtain United States currency belonging to H.J., a person known to the United States Attorney, from the person and in the presence of another, that is, M.T., a person known to the United States Attorney, against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property in his possession, all in violation of Title 18, United States Code, Section 1951(a), (b)(1) and (b)(3).

#### **MANNER AND MEANS**

It was part of the conspiracy that:

3. Defendant KEINO HERRING arranged to purchase approximately \$170,000 worth of cocaine from H.J.

4. Defendant KEINO HERRING intended to avoid paying for the cocaine by providing H.J. with payment for the cocaine, and then using co-conspirator Snell to steal the money back from H.J.

5. Defendant KEINO HERRING knew that H.J. was sending a courier, M.T., to Philadelphia both to deliver the cocaine and to pick up approximately \$170,000 in United States currency as payment to H.J. for the cocaine.

6. Defendant KEINO HERRING knew that co-conspirator Malik Snell was a Philadelphia Police Officer.

7. Defendant KEINO HERRING and co-conspirator Malik Snell agreed that Snell would rob M.T. of drug proceeds belonging to H.J., which property and movement of which affected interstate commerce.

6. Defendant KEINO HERRING and co-conspirator Malik Snell agreed that Snell would perform the robbery while wearing his Philadelphia Police Officer uniform, thereby

helping to prevent law enforcement from apprehending and prosecuting defendant KEINO HERRING and Snell, and further helping to prevent H.J. from knowing that Herring was involved in the robbery.

### **OVERT ACTS**

In furtherance of this conspiracy, defendant KEINO HERRING, co-conspirator Malik Snell, and others known and unknown to the United States Attorney, committed the following overt acts among others, in the Eastern District of Pennsylvania:

In or about May 2004:

1. Defendant KEINO HERRING contacted co-conspirator Malik Snell and asked Snell to carry out the robbery of drug proceeds.
2. Defendant KEINO HERRING asked co-conspirator Malik Snell to wear his Philadelphia Police Department uniform when committing the robbery.
3. Defendant KEINO HERRING met H.J.'s courier, M.T., behind a hotel on Columbus Avenue in Philadelphia, Pennsylvania, and provided M.T. with approximately \$170,000 as payment for the cocaine.
4. After providing approximately \$170,000 to M.T. as payment for the cocaine, defendant KEINO HERRING called co-conspirator Malik Snell and instructed Snell to drive to the location where defendant HERRING was meeting M.T., and to rob M.T. of the \$170,000 in drug proceeds.
5. Co-conspirator Malik Snell, who was wearing his Philadelphia Police Department uniform, drove up to M.T. in a marked Philadelphia Police car, and took from M.T. approximately \$170,000 in drug proceeds.

All in violation of Title 18, United States Code, Sections 1951(a), (b)(1), and  
(b)(3).

## **COUNT TWO**

### **THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

1. Paragraphs 1 and 3 through 6, and Overt Acts 1 through 5 of Count One of this information are incorporated here.

2. In or about May 2004, in the Eastern District of Pennsylvania, and elsewhere, defendant

### **KEINO HERRING**

obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce by robbery, in that defendant HERRING, and others known and unknown to the United States Attorney, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, drug proceeds belonging to H.J., a person known to the United States Attorney, from the person or in the presence of M.T., a person known to the United States Attorney, against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property, that is, by using physical force on and otherwise threatening M.T.

In violation of Title 18, United States Code, Sections 1951(a), (b)(1), and (b)(3), and 2.

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**LAURIE MAGID**  
United States Attorney